

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

GRADILLAS COURT)	
REPORTERS, INC.)	
)	
)	
Plaintiff,)	
v.)	Civil Action No. 2:17-cv-00597-RBS-DEM
)	
CHERRY BEKAERT, LLP and)	
SARA CRABTREE)	
)	
)	
DOES 1 through 50, inclusive)	
)	
Defendants.)	
)	

AGREED ADDENDUM TO JOINT STIPULATION AND PROTECTIVE ORDER

IT IS HEREBY STIPULATED by and between Plaintiff Gradillas Court Reporters, Inc. (“Gradillas”), and Defendants Cherry Bekaert, LLP (“Cherry”) and Sara Crabtree (“Crabtree” and together “Defendants” or “Cherry”), on the other hand (collectively the “Parties”), by and through their respective counsel of record, that in order to facilitate the exchange of “Highly Confidential” materials produced by third parties, this Addendum is agreed. This Addendum shall operate in conjunction with the previously filed Joint Stipulation and Protective Order (Doc. #34) to add this additional “Highly Confidential” level of protection.

1. In this Addendum, the words set forth below shall have the following meanings, in addition to the words previously defined in the Joint Stipulation and Protective Order which are incorporated herein:

a. “Highly Confidential Materials” shall include extremely sensitive materials, the disclosure of which would create a substantial risk of serious harm if they were used by competitors that could not be avoided by less restrictive means such as a designation of “Confidential Materials.” These materials are largely restricted to non-public research,

proprietary plans or designs, development, commercial or financial information where disclosure would risk serious competitive harm to the Producing Party. Such materials shall be designated as such by the Designating Party, which may only include third party court reporting firms and the U.S. Securities and Exchange Commission, subject to challenge, if desired, as provided in the Joint Stipulation and Protective Order. As further detailed below, Highly Confidential Materials largely will be restricted to use by the Court, law firms, and experts, and not provided to the court reporting firm Parties (currently, only Gradillas) themselves, absent further Court order or agreement. It is intended, for instance, that this additional level of protection shall facilitate production and protection of competitive bidding materials by non-parties that will help facilitate adjudication of this matter.

2. Highly Confidential Materials may only be disclosed to the persons identified in Paragraphs 7 (a), (b)(1) & (2), (d), (e), (i), and (j), unless otherwise agreed in writing by the Producing Party, except non-court reporter firm Parties (currently only Defendants) may review the materials as long as they treat them as "Confidential" under the Joint Stipulation and Protective Order .

3. The terms of the Joint Stipulation and Protective Order also apply to "Highly Confidential" materials and non-parties.

4. This Stipulation and Protective Order may be executed in counterparts.

Dated: March 29, 2018

Seen and Agreed:

By: /s/ Robert M. Tata
Robert M. Tata (VSB No. 30101)
HUNTON & WILLIAMS, LLP
500 East Main Street, Suite 1000
Norfolk, VA 23510
(757) 640-5300
(757) 625-7720 (*facsimile*)
btata@hunton.com

Suzelle Smith (*Pro Hac Vice*)
Don Howarth (*Pro Hac Vice*)
HOWARTH & SMITH
523 W. 6th Street, Suite 728
Los Angeles, CA 90014
(213) 955-9400
(213) 622-0791 (*facsimile*)
ssmith@howarth-smith.com
dhowarth@howarth-smith.com

Attorneys for Plaintiff Gradillas Court Reporters, Inc.

Dated: March 29, 2018

Seen and Agreed:

By: /s/ J. Peter Glaws, IV
J. Peter Glaws, IV (VSB #83185)
Kevin M. Murphy (*Pro Hac Vice*)
CARR MALONEY P.C.
2020 K Street, NW, Suite 850
Washington, D.C. 20006
(202) 310-5500
(202) 310-5555 (*facsimile*)
kmm@carrmaloney.com
jpg@carrmaloney.com

Attorneys for Defendants Cherry Bekaert, LLP and Sara Crabtree

SO ORDERED.

Dated: 4/2/2018

/s/ 
Douglas E. Miller
United States Magistrate Judge

EXHIBIT A

CERTIFICATION RE HIGHLY CONFIDENTIAL DISCOVERY MATERIALS

I hereby acknowledge that I, _____ [NAME],
_____ [POSITION AND EMPLOYER], am
about to receive Highly Confidential Materials supplied in connection with the Proceeding,
Gradillas Court Reporters, Inc. v. Cherry Bekaert, LLP, et al., United States District Court for
the Eastern District of Virginia, Civil Action No. 2:17-cv-00597-RBS-DEM. I certify that I
understand that the Highly Confidential Materials are provided to me subject to the terms and
restrictions of the Joint Stipulation and Protective Order and Addendum filed in this Proceeding.
I have been given a copy of the Joint Stipulation and Protective Order and Addendum; I have
read them, and I agree to be bound by their terms.

I understand that Highly Confidential Materials, as defined in the Stipulation and
Protective Order, including any notes or other records that may be made regarding any such
materials, shall not be disclosed to anyone except as expressly permitted by the Stipulation and
Protective Order. I will not copy or use, except solely for the purposes of this Proceeding, any
Highly Confidential Materials obtained pursuant to this Protective Order, except as provided
therein or otherwise ordered by the Court in the Proceeding.

I further understand that I am to retain all copies of all Highly Confidential Materials
provided to me in the Proceeding in a secure manner, and that all copies of such Materials are to
remain in my personal custody until termination of my participation in this Proceeding,
whereupon the copies of such Materials will be returned to counsel who provided me with such
Materials.

I declare under penalty of perjury, under the laws of the State of Virginia, that the
foregoing is true and correct. Executed this _____ day of _____, 20____, at
_____.

DATED: _____

BY: _____
Signature

Title

Address

City, State, Zip

Telephone Number